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FILED  
07 JUN -8 PM 3:22  
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RICHARD W. VICKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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**EDI**

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA

## SAN FRANCISCO DIVISION

DIVISION C 07 3006  
e No

SUSIE ABRAM,

**Plaintiff,**

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, DEPARTMENT  
OF PUBLIC HEALTH; WILLIAM  
FRAZIER, DIRECTOR OF  
THERAPEUTIC ACTIVITIES.

## HONDA HOSPITAL,

## Defendants.

Plaintiff, SUSIE ABRAM, files this Complaint and complains of the named Defendants, each of them, jointly and severally, and for causes of action, alleges as follows:

I

## JURISDICTION

1. Jurisdiction of this Court is invoked pursuant to the provisions of 28 U.S.C. Section

1 1331 to enforce the provisions of 42 U.S.C. 1981 which guarantees, among other things that all  
2 persons shall have the same right in every State and Territory to make and enforce contracts, to  
3 sue, be parties, give evidence and to the full and equal property as is enjoyed by white citizens.

4 II

5 VENUE

6 2. Venue is proper in the Northern District of California.

7 III

8 PARTIES

9 3. Plaintiff, SUSIE ABRAM, is a former employee of Defendant City and County of San  
10 Francisco, Department of Public Health, Laguna Honda Hospital.

11 4. Defendant, CITY AND COUNTY OF SAN FRANCISCO, was, and at all times  
12 relevant hereto, has been a political subdivision of the State of California. Said Defendant owns,  
13 operates and maintains the LAGUNA HONDA HOSPITAL, at San Francisco, California,  
14 operated by the Department of Public Health, an agency of said City and County.

15 5. Defendant WILLIAM FRAZIER, is and at all times relevant hereto, has been the  
16 Director of Therapeutic Activities at LAGUNA HONDA HOSPITAL.

17 IV

18 STATEMENT OF CLAIM

19 6. Plaintiff was employed by said Department of Public Health as a Health Worker III  
20 2587 at LAGUNA HONDA HOSPITAL as an Activity Therapy employee. Plaintiff was  
21 employed at Laguna Honda Hospital from April 4, 1982 until on or about June 24, 2004. Shortly  
22 thereafter, Plaintiff was compelled to officially resign from said position.

23 7. At all times during her entire tenure, Plaintiff performed all of her assigned and related  
24 duties in an excellent fashion.

25 8. Notwithstanding, said Defendants during said employment, continuously subjected  
26 Plaintiff to a pattern and practice of unlawful discriminatory employment practices which

1 included, but were not limited to:

- 2 a) false performance evaluations;
- 3 b) unwarranted threats of disciplinary actions;
- 4 c) unwarranted disciplinary actions;
- 5 d) humiliation;
- 6 e) unwarranted close scrutiny;
- 7 f) continuing harassment; and
- 8 g) continuing hostility;

9 9. Said actions and conduct were taken against Plaintiff because of her race, color and  
10 national origin (African American - Black) and in retaliation against her for her continuing  
11 protests of such discriminatory conduct in violation of the Provisions of 42 U. S. Code Section  
12 1981.

13 10. As a result of said actions and conduct, Plaintiff was forced to leave her said  
14 employment in June, 2005, and was shortly thereafter compelled to formally resign said  
15 employment.

16 11. As a direct result of the acts and conduct of Defendants, as alleged herein, Plaintiff  
17 has suffered loss of and continues to suffer substantial loss of earnings and related employment  
18 benefits in an amount to be proven at trial herein.

19 12. In doing the acts and in engaging in the conduct herein alleged, Defendants intended  
20 to and did vex, harass, annoy and cause Plaintiff to suffer and continue to suffer severe emotional  
21 distress for which Plaintiff has been compelled to seek and continue medical care and incur  
22 medical expenses therefor.

23 V.

24 PRAYER FOR RELIEF

25 WHEREFORE, Plaintiff prays judgment against Defendant as follows:

26 (A) Grant Plaintiff a declaratory judgment that Defendants have violated Plaintiff's rights

1 as guaranteed by, 42 U.S.C. Section 1981 in committing the acts and in engaging in the conduct  
2 complained of herein;

3 (B) Award Plaintiff damages for all earnings lost, including future earnings loss and for  
4 loss of related employment benefits;

5 (C) Award Plaintiff damages for lost career and employment opportunities;

6 (D) Order that all negative material be removed from Plaintiff's personnel file or any  
7 other files or records maintained in connection with Plaintiff's employment;

8 (E) Award Plaintiff damages for severe psychological harm in an amount to be proven at  
9 trial;

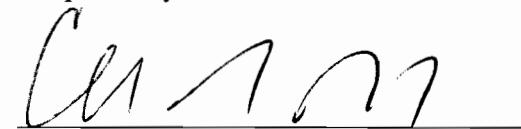
10 (F) Award Plaintiff costs of suit;

11 (G) Grant Plaintiff reasonable attorney's fees; and

12 (H) Grant Plaintiff such other and future relief as the Court may deem proper and just.

13 Dated: June 8, 2007

14 Respectfully submitted.

15   
16 CURTIS G. OLER  
17 Attorney for Plaintiff